

)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 4:15-CR-103
)	ORAL ARGUMENT
JESSE R. BENTON, <i>et al.</i> ,)	REQUESTED
)	
Defendants.)	
)	

Defendant, John F. Tate (“Mr. Tate”), by counsel, pursuant to Federal Rule of Criminal Procedure 12(b), respectfully moves this Court to dismiss Counts 1-4 of the Indictment in the above-captioned case against Mr. Tate.

For the foregoing reasons outlined above and in Mr. Tate’s memorandum supporting this motion, undersigned counsel urges the Court to grant the instant motion. Mr. Tate also requests that the Court set this matter for oral argument pursuant to LCrR 47(a) and LR 7(c). In support thereof, Mr. Tate submits there is good cause for a hearing as this case involves a new and novel theory of prosecution.

Respectfully submitted,

/s/ David A. Warrington
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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2015, I electronically filed a true and correct copy of the foregoing with the Clerk of Court using the CM/ECF system which sent notification of such filing to all counsel registered for ECF in this case.

/s/ David A. Warrington

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